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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,347	01/16/2007	Kenji Sakamoto	1248-0826PUS1	2092

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EXAMINER
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JACKSON, BLANE J

ART UNIT	PAPER NUMBER
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2618

NOTIFICATION DATE	DELIVERY MODE
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09/26/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/553,347	<b>Applicant(s)</b> SAKAMOTO, KENJI	
	<b>Examiner</b> BLANE J. JACKSON	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The Information Disclosure Statements filed 14 October 2005, 20 September 2007 and 15 January 2008 are made of record.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akio (JP 2000-134502 – see the translation of the relevant passages and Abstract of the document provided in the IDS by the applicant) in view of Shigeru et al. (JP 06-261372).

As to claims 1 and 9, Akio teaches a method and terminal device connected, in a communication-enabled manner, with a center device, so that an image and/or a sound data is received from the center device, the center device being connected with at least one external device, the terminal device comprising:

communication means for communicating with the center device (figure 1, paragraph 0012, wireless bi-directional communication between the audio visual content receiving device (11) and the audio visual content transmitting device (16)), and

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control means for controlling an operation of the terminal device (figure 1, Abstract, remote commander (20) is a remote controller of the conventional sense), the control means including:

remote-operation data producing means for generating remote-operation data when a remote operation is performed with respect to the external device, the remote-operation data containing (a) remote operation information indicating content of the remote operation, and (b) identification information of the external device to be subjected to the remote operation (paragraphs 0016 and 0017, Abstract, the audio visual content receiving device provides a wireless message with an ID of the selected audio visual device) and

remote-operation data transmitting means for transmitting, to the center device via the communication means, the remote-operation data having been generated by the remote-operation data producing means (figure 1, paragraph 0017, the audio visual content receiving device transmits the selected external device to the transmitting device (16)).

Note that this prior art terms the terminal device and center device as an audio video receiver and audio video transmitter respectively where they are both wireless transceivers.

Akio teaches an AB device selection button (13) on the audio video receiver (11) is used to select a desired AV device (19), see Abstract, but does not teach identification information acquiring means for acquiring, from the center device (audio

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video transmitter (16)) via the communication means, identification information for identifying the external device.

Shigeru teaches a bi-directional remote control system where a remote controller (9) communicates with a video distribution unit to select and external audio visual device, figure 1, Abstract. Shigeru discloses the remote controller transmits the identification signal transfer command, receives a signal with identification information to identify each of the external devices (2-6) from the AV distribution means (1) and displays an operation command corresponding to the received identification signal to enable transmission of an operation signal to operate a selected external device, Abstract.

Since Shigeru teaches remote control of a selected one of a plurality of audio visual devices, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device selection method of Akio per the prompted device identification selection method of Shigeru such that the selection of the remote external device is dynamically identified and selected at the remote controller.

As to claim 2 with respect to claim 1, Shigeru of Akio modified teaches the terminal device comprising remote-controller signal receiving means for receiving a remote-controller signal from a remote-controlling device for use in remotely operating the terminal device, wherein the remote-operation data producing means of the control means generates the remote-operation data, based on the remote-controller signal

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received by the remote-controller signal receiving means (figure 1, Abstract, the remote controller (9) is provided with the identification information for the external devices).

As to claim 3 with respect to claim 2, Shigeru of Akio modified teaches the remote-operation data producing means generates remote-controller information, based on the remote-controller signal, and adds the identification information to the remote-controller information, so as to generate the remote-operation data (figure 1, Abstract, the remote controller uses the received identification information to transmit an operation signal).

As to claims 4 and 10, Akio teaches a method and center device to which at least one external device is connected, for transmitting image and/or sound data to a terminal device, the center device comprising:

communication means for communicating with the terminal device (figure 1, paragraph 0012, wireless bi-directional communication between the audio visual content receiving device (11) and the audio visual content transmitting device (16)),

storage means for storing therein identification information for identifying the external device (figure 1, Abstract, storage means would be necessary to compare with the selected device in the wireless message from the remote controller), and

control means for controlling an operation of the center device (paragraph 0016, the audio visual content transmitting device analyzes the AV device selecting information),

the control means including:

remote-operation data acquiring means for acquiring, from the terminal device via the communication means, remote-operation data for remotely operating the external device, the remote-operation data containing (a) remote-controller information indicating content of the remote operation, and (b) identification information of the external device to be subjected to the remote operation (paragraph 0012, the audio visual content transmitting device (16) selects the desired external device (19) in accordance with the audio visual device selection information transmitted from the audio visual content receiving device (11)), and

remote control means for remotely operating, in accordance with the remote-controller information in the remote-operation data, the external device corresponding to the identification information in the remote-operation data acquired by the remote-operation data acquiring means (Abstract, the audio video receiver (11) controls the selected external device (19) through an infrared transmission based on the received information from the AV receiver (11)).

identification information transmitting means for transmitting, to the terminal device via the communication means, the identification information stored in the storage means;

Akio teaches an AB device selection button (13) on the audio video receiver (11) is used to select a desired AV device (19), see Abstract, but does not teach the center device (audio video transmitter (16)) comprising identification information transmitting

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means for transmitting to the terminal device the identification information stored in the storage means.

Shigeru teaches a bi-directional remote control system where a remote controller (9) communicates with a video distribution unit to select and external audio visual device, figure 1, Abstract. Shigeru discloses the remote controller transmits the identification signal transfer command, receives a signal with identification information to identify each of the external devices (2-6) from the AV distribution means (1) and displays an operation command corresponding to the received identification signal to enable transmission of an operation signal to the AV distribution means to operate a selected external device, Abstract.

Since Shigeru teaches remote control of a selected one of a plurality of audio visual devices, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device selection method of Akio per the prompted device identification selection method of Shigeru such that the selection of the remote external device is dynamically identified and selected at the remote controller.

As to claim 5 with respect to claim 4, Akio teaches the storage means further stores therein device-use-information indicating a use-status of the external device and the remote control means judges, based on the device-use-information, whether or not the remote operation is performed (paragraph 0017, the AV transmitter (16) analyzes the selection information for comparison with stored ID and activity).



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As to claim 6 with respect to claim 4, Akio teaches the center device comprises infrared transmitting means for transmitting a signal, in a form of infrared light, to the external device, the signal being used for the remote control means to remotely operate the external device (see Abstract, the AV transmitter (16) employs an infrared transmitter (17) to control the individual external devices (19)).

As to claims 7 and 8 with respect to claim 1, Akio teaches the terminal device is connected, in a communication-enabled manner, with the center device (figure 1, paragraph 0012, wireless connection).

As to claims 11, 14 and 15 with respect to claims 1, 2 and 3, Akio teaches a terminal device controlling program for operating the terminal device, the terminal device controlling program causing a computer to function as the control means (figure 1, Abstract, the AV receiver device (11) processes the control information from the remote controller and AV device selection button).

As to claims 12 and 16 with respect to claims 4 and 5, Akio teaches a center device controlling program for operating the center device, the center device controlling program causing a computer to function as the control means (figure 1, Abstract, paragraph 0016, the AV transmitting device (16) controls the communication and external device selection).

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As to claim 13 with respect to claim 1, Shigeru of Akio modified teaches a computer-readable recording medium storing the terminal device controlling program and/or the center device controlling program (figure 1, memory (113) to support the CPU (112) as is common in the art).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure includes Janik (US 2002/0068558) which teaches a method for providing content, management and interactivity for remote client devices using a Bluetooth or the like for wireless connection as well as a connection to digital storage and the Internet for external data sources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLANE J. JACKSON whose telephone number is (571)272-7890. The examiner can normally be reached on Monday through Thursday, 8:30 AM-7:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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/Blane J Jackson/  
Examiner, Art Unit 2618